

**MEBA Vacation Plan
Summary Plan Description**

October 2008

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Introduction

If you have any questions about the MEBA Vacation Plan, your participation in it, or this Handbook, please contact the Plan Office in Baltimore.

You work hard when you're on a vessel. Even when your shift is done, you're still out at sea, separated from family and friends. The MEBA Vacation Plan provides benefits for your non-working days. The Plan also pays wages for Port Relief employment.

The following description of the Vacation Plan provides a brief summary of the benefits available. The Administrative Information section of this Handbook provides additional information. Please refer to the Plan Rules and Regulations for Filing Claims (reproduced at the back of this Handbook) for more details.

About This Handbook

This Handbook covers only the major provisions of your Plan. Please be assured that **NONE** of your vacation benefits have been taken away just because they are not covered in this Handbook. All your vacation benefits are still set forth in the actual Vacation Plan Rules and Regulations for Filing Claims (which are reproduced at the back of this Handbook). It's just that in the interest of giving you an easy to read Handbook, not all of the details are covered.

Please understand that no general explanation can adequately provide all of the details of the Vacation Plan. Therefore, this Handbook does not change or otherwise interpret the terms of the official Vacation Plan documents, such as the Trust Agreement or the Rules and Regulations. Your rights can be determined only by referring to these official documents, which are available for your inspection as described in the Administrative Information section of this Handbook. Please note that nobody other than the Board of Trustees has any authority to interpret the Vacation Plan Rules and Regulations (or other official Plan documents) or to make any promises to you about your benefits. If you have any questions about your benefits, do not rely on anyone's oral advice, but write to the Plan Office and you will receive a written reply to your inquiry.

This Handbook itself does not override the Vacation Plan Rules and Regulations. Only the Rules and Regulations (which are reproduced at the back of this Handbook) and the other official Plan documents govern the operation of the Vacation Plan and the benefits to which you may be entitled. This Handbook is supplied solely for the purpose of assisting you in comprehending the scope and meaning of the Plan, not to replace or amend it.

If any of the information contained in this Handbook is inconsistent with the official Vacation Plan documents, the provisions of the official documents will govern in all cases. The Board of Trustees reserves the right to amend, modify or terminate the Vacation Plan and the Rules and Regulations (in whole or in part) at any time and from time to time.

Coverage by the MEBA Vacation Plan

A “Participating Employer” is any Employer who is required to make contributions to the Plan according to a collective bargaining agreement.

“Covered Employment” is work for which your Employer is required to make contributions to the Plan. Travel time to join a vessel in a foreign port may be considered covered employment for purposes of the Plan. Travel time to a domestic port or returning from a vessel is not considered Covered Employment.

Who Is Eligible

You are eligible to receive vacation benefits after you complete at least 30 days of Covered Employment within a 720-day period for which vacation benefits have not previously been paid.

However, you may receive vacation benefits based on less than 30 days of Covered Employment, provided you have no carryover vacation when you file your application and you take all of the vacation earned on the less than 30 days of Covered Employment.

Vacation benefits are earned according to collective bargaining agreements. The benefits you receive depend on the terms of your collective bargaining agreement, the type of vessel you’re on, your days of Covered Employment, and your rating.

How Vacation Benefits Are Earned

Amount of Vacation Benefits

Your vacation benefits are earned in accordance with the terms of your collective bargaining agreement.

Vacation Benefits for Other Than 30 Days of Employment

If you work more than 30 days, you will receive vacation benefits on a prorated basis for the days in excess of 30. For example, if you are a Second Assistant Engineer and based on your CBA you accrue 26 days of vacation for every 30 days of employment and you work on a vessel for 45 days, you would earn a total of 39 vacation days:

- 26 vacation days for the first 30 days of Covered Employment, and
- 13 vacation days for the remaining 15 days of Covered Employment.

If you work less than 30 days, you may receive prorated vacation benefits provided you have no carryover vacation at the time you apply for benefits. You must take all the benefits you earned for the less than 30 days of employment.

Maximum Vacation Benefits That You Can Earn

There are limits on how many vacation days you can earn and how long you can wait before using them.

The 315-Day Rule

You may earn vacation benefits on a maximum of 315 days of Covered Employment within any 720 consecutive day period. This means that if you work more than 315 days within any 720 day period, you will not earn vacation benefits on the work that exceeds 315 days.

There are three exceptions to the “315-day rule”:

- If your 315th day of Covered Employment occurs while you are on a voyage, you may complete that voyage and earn benefits for all days of Covered Employment during that voyage.
- If a Union official certifies in writing that a licensed officer is not available to relieve you at the end of the voyage in which your 315th day of Covered Employment occurs and gives you written permission to take another voyage, you may earn vacation benefits for all days of Covered Employment during that voyage.
- The 315-day rule does not apply to Covered Employment on a Ready Reserve Fleet vessel in Reduced Operating Status or on sea trials.

The 720-Day Rule

You can only receive vacation benefits for Covered Employment worked within a 720 consecutive day period. The 720 day period either ends on your most recent day of Covered Employment, or begins on the oldest day of Covered Employment for which you have not taken vacation. We use whichever period provides you with the most vacation benefits. You will forfeit vacation benefits earned for days of Employment which were worked outside of the 720 day period. For example:

Engineer A worked in Covered Employment from 2/1/06 through 4/15/06 and from 1/15/07 through 4/10/07. He did not apply for vacation benefits. He returned to work on 1/3/08 and continued to work until 4/17/08. By counting backwards 720 days from his most recent day of Covered Employment (4/17/08), benefits for employment from 4/27/06 through 4/17/08 are payable. Benefits for employment from 2/1/06 through 4/27/06 are forfeited because they were earned outside of the 720 day period.

There are three exceptions to the “720-day rule”:

- If the 720th consecutive day occurs while you are on a voyage, you may complete that voyage without the 720 day rule causing you to forfeit vacation benefits you were entitled to when the voyage began.

For example:

Engineer B worked from 8/25/04 through 9/30/04 and did not apply for vacation benefits. He returned to work on 6/5/06 and was on a voyage on 8/13/06, which was the 720th day since 8/25/04. The voyage ended 9/2/06. Although benefits earned before 9/14/04 are before the 720 consecutive day period counting backwards from his most recent day of Covered Employment (9/2/06), based on the completion of the voyage exception to the 720 day rule, he does not forfeit the benefits earned from 8/25/04 thru 9/13/04.

It's important to understand these maximum benefits rules. Unless an exception applies, you won't earn vacation benefits on work in excess of 315 days in a 720 day period, and you will lose vacation benefits earned for work which was more than 720 days before your most recent day of covered employment.

Other Vacation Rules

- If a Union official certifies in writing that a licensed officer is not available to relieve you at the end of the voyage during which the 720th consecutive day occurs and gives you written permission to take an additional voyage, you may take the additional voyage without the 720 day rule causing you to forfeit vacation benefits you were entitled to when the first voyage began.

Continuing the above example:

No relief was available at the end of the voyage on 9/2/06, so Engineer B began a second voyage with written permission on 9/3/06 and continued to work until 10/8/06. Because his 720th day occurred while he was on the first voyage and he had written permission to take a second voyage, no benefits that he was entitled to when the first voyage began are forfeited because of the 720 day rule.

- The 720-day rule does not apply to Covered Employment on a Ready Reserve Fleet vessel in Reduced Operating Status or on sea trials.

Vacation Days and Other Benefits

Your vacation days do not count as days of Covered Employment for earning vacation benefits. However, vacation days are counted for earning Pension Credit under the Pension Trust and for eligibility under the MEBA Medical and Benefits Plan.

Computing Vacation Pay

Your vacation pay varies depending on the type of vessel and the daily wage rates you were paid while earning vacation benefits in accordance with the applicable collective bargaining agreement. Contact the Plan Office for more information.

No “fill in the gaps”

You can't “fill in the gaps” in prior Covered Employment with vacation days.

When Your Vacation Starts

Your vacation period usually starts on the day following your last day of Covered Employment, unless you specifically request a later start date when you file your Application for Vacation Pay. If you request a vacation start date that's later than the date you file your Application for Vacation Pay, benefits will not be paid until the vacation period begins.

You may not request a vacation start date that's earlier than your last day of Covered Employment. In other words, vacation days cannot be used to “fill in the gaps” in prior employment.

In the case of Government activated vessels, where authorized in an applicable collective bargaining agreement, if you return to Reduced Operating Status (ROS) aboard a vessel, you may receive your vacation benefits earned in Full Operating Status (FOS) while working in ROS.

Partial Vacations

When applying for vacation, you may elect to take all of your vacation (including converted overtime vacation) or you may elect to take only part of your vacation and carry over the balance.

If you take a partial vacation, the balance you carry over may not be more than 90 days of vacation based on regular Covered Employment and an additional 90 days based on Converted Overtime. Your election to take a partial vacation must be made at the time you apply for vacation benefits.

At the end of your partial vacation, you may return to work in Covered Employment or you may extend your partial vacation.

On or after January 1, 2009, you may extend a partial vacation up to five times. On your fifth extension, you must take the remaining balance of all your regular and Converted Overtime vacation days.

Prior to January 1, 2009, you are limited to a maximum of three extensions.

If you work in Covered Employment between a partial vacation and any extensions of a partial vacation, you cannot receive vacation benefits earned on that Employment until you take all of your carryover vacation or until you work at least 30 days in Covered Employment.

Required Time Off

At the discretion of the Trustees of the Plan, you may be required to take time off without pay for some number of days during a year. This period of required time off will follow your vacation.

No Cash Allowances

No cash allowances will be paid in lieu of taking vacation.

Work During Vacation

To receive vacation benefits, you must be off the vessel for the full period of your vacation, unless your collective bargaining agreement specifically provides otherwise. Normally, you may not work in Covered Employment (including Port Relief) during your vacation period.

Individuals who return to ROS service aboard a vessel may receive vacation benefits earned in FOS while they are working in ROS, provided they are otherwise eligible. The vacation period will only be placed prospectively from the last day of covered employment, be it FOS or ROS. And, you will not receive pension credits for both the FOS vacation time and the overlapping ROS time.

Early Return From Vacation

You may not return to Covered Employment until your vacation period ends unless you have the prior written permission of the Union. If you receive permission, then any "early return days" must be made up before your next vacation period starts.

If you return to Covered Employment early without the prior written permission of the Union, you will not earn vacation benefits for your next 180 days of Covered Employment.

The Union may request that you return to Covered Employment early due to an emergency situation such as war or a personnel shortage. If this happens, you must make up days before your next vacation period, but the Trustees, in their discretion, may waive this requirement.

Applying for Vacation Pay

You may authorize the Plan to pay union dues or service charges from your vacation benefits.

As a result of the Iraqi War, the Trustees have exercised their discretion to allow early returns from vacation through fixed periods of time without requiring the returning individuals to make up the days.

You cannot work Port Relief while on vacation unless you have permission to return to work early, signed by an authorized Union Official.

Converting Overtime or Supplemental Pay

Unless prohibited by a collective bargaining agreement, you may elect to convert all or part of your overtime or supplemental pay to vacation days. This election must be made at the time the voyage commences and an authorized Employer representative must complete and sign the Converted Overtime Worksheet.

Your Converted Overtime Worksheet must be filed with your Application for Vacation Pay. If you apply for both Converted Overtime Vacation days and regular vacation days, your Converted Overtime Vacation days will be paid before your regular vacation days.

Here's the formula for converting overtime or supplemental pay to vacation days:

$$\begin{array}{c} \text{Gross Overtime or Supplemental Pay} \\ \textbf{divided by} \\ \text{Daily Vacation Wage} \\ \textbf{equals} \\ \text{Vacation Days} \end{array}$$

How to Apply

To receive your vacation pay, you must complete an Application for Vacation Pay (available from any Plan office location listed below or the MEBA Plans website) and attach the following:

- Stub portion from your last vacation check;
- Original Coast Guard Discharges or Continuous Discharge Book covering all voyages since your last vacation;
- Employer payroll vouchers for all port time and travel time to a vessel in a foreign port, if applicable;
- Proof that Social Security taxes and applicable state taxes have been paid in full by your Employer for the year for which the vacation benefits apply;

- If proof is not submitted Social Security taxes will be withheld.
- Application for Converted Overtime Worksheet, if applicable;
- Letter from an authorized Union official granting permission for early return to employment or sailing beyond the 315-day or 720-day limits, if applicable; and
- Carryover Form, if you took a Partial Vacation.

Sign and return your Application for Vacation Pay to the address indicated on the form or to any of the following Plan office locations:

BOSTON

Marine Industrial Park, 12 Channel Street, Suite 606, Boston, MA 02210
tel - 617-261-2338 or 2339

CLEVELAND

101 Erieside Ave., Room 202, Dock 30
Cleveland, OH 44114
tel – 216-771-9830

FT. LAUDERDALE

Suite 22, 1900 West Commercial Boulevard,
Ft. Lauderdale, FL 33309
tel - 954-202-0972

JACKSONVILLE

349 E. 20th Street, Jacksonville, FL 32206
tel - 904-425-2017

NEW YORK/NEW JERSEY

37 Edward Hart Drive, Jersey City, NJ 07305
tel - 201-433-7700

LOS ANGELES

533 N. Marine Avenue, Wilmington, CA 90744-5527;
tel - 310-547-1264

NEW ORLEANS

811 Carondelet Street, New Orleans, LA 70130
tel – 504-523-5542

NORFOLK

1058 West 40th Street, Norfolk, VA 23508
tel – 757-440-2427

SAN FRANCISCO

548 Thomas L. Berkley Way, Oakland, CA 94612
tel – 510-291-4919

SEATTLE

5527-A Airport Way South, Suite 101, Seattle, WA 98108
tel – 206-762-0803

TAMPA

4333 South 50th Street, Tampa, FL 33619
tel – 813-247-7223

In addition, you may file your application at any of the following offices of the Union. These offices cannot process your Application or issue you a check, but they will forward your application to the Plan Office in Baltimore.

BALTIMORE

1003 Eastern Avenue, Baltimore, MD 21202
tel - 410-685-5353 or 5354

CHARLESTON

4706 A Spruill Avenue, North Charleston, SC 29405
tel – 843-744-5088

CORPUS CHRISTI

3649 Leopard Street, Suite 308, Corpus Christi, TX 78408
tel – 361-882-7059

HONOLULU

707 Alakea Street, Honolulu, HI 96813
tel – 808-533-1910

HOUSTON

316 Broadway, Houston, TX 77012
tel - 713-923-9424

PORTLAND

321 S.W. 4th Avenue, Suite 301, Portland, OR 97204
tel – 503-228-1492

SAN JUAN

Miramar Plaza Center, Suite 305
954 Ponce DeLeon Avenue
Santurci, PR 00907
tel – 787-724-3600

WILMINGTON, NC

728 Surry Street, Wilmington, NC 28401
tel – 910-763-7805

Port Relief

A collective bargaining agreement may provide for different day equivalents for the Port Relief vacation factor.

If Your Application is Denied

See the Administrative Information section of this Handbook for information on what you can do if your benefits are denied in whole or in part.

Survivor Benefits

If you die with any unpaid vacation benefits, they will be paid to your beneficiary under the MEBA Medical and Benefits Plan.

Port Relief Employment and Wage Rates

A Port Relief officer may be employed if the regular officer(s) leave(s) a vessel which is in a port in the continental United States, Puerto Rico or Hawaii, during weekends, holidays or at night.

Port Relief wages depend on the type of vessel, the employment period and the Employer.

Port Relief Employment and Other Benefits

Port Relief wage rates have a vacation factor built into them, so no vacation benefits are earned from Port Relief employment. However, Port Relief employment counts as covered employment for credit under the MEBA Pension Trust and eligibility under the MEBA Medical and Benefits Plan, as follows:

Other Important Information

- Each hour of Port Relief employment on a dry cargo vessel counts as .167 days (8 hours equals 1.334 days) of covered employment.
- Each hour of Port Relief employment on a tanker vessel counts as .188 days (8 hours equals 1.5 days) of covered employment.

Applying for Port Relief Wages

You usually have to file a signed time sheet at a Plan office location to receive payment of Port Relief wages. After your Port Relief watch is over:

- complete the W-4 section of the time sheet and list the dates and hours worked;
- have an authorized Employer representative sign the time sheet certifying the work;
- file the time sheet at a Plan office location.

Payment of Port Relief wages will normally be made the same day that your properly completed time sheet is submitted.

Together with the Administrative Information section, this Handbook constitutes the Summary Plan Description of the Vacation Plan as in effect on October 1, 2008.

Terms and phrases used in this Handbook are intended to have the meanings given them in the Plan Rules and Regulations. If there is any difference between the information contained in this Handbook and the Plan Rules and Regulations, the Plan Rules and Regulations, as interpreted by the Board of Trustees, will always govern. If there are legal rules that require changes not yet written into the Plan Rules and Regulations, the Plan Rules and Instructions will be interpreted by the Board of Trustees as including those legal rules.